

AK 701

Enforcement Confidential

4/13/87

*Charles Hamel and Associates*

P.O. BOX 386  
ALEXANDRIA, VIRGINIA 22319  
TEL: 703-648-0515

101 QUAY STREET

April 13, 1987

Lee M. Thomas, Administrator  
U.S. Environmental Protection Agency  
401 M Street, S.W.  
Washington, D.C. 20460

RE: Protection for informants from EPA employees  
and their agents.

Dear Mr. Thomas:

On April 5th, a salaried management employee of North Pole Refinery (NPR) in Alaska, filed with the Secretary of Labor for "Employee Protection" under the RCRA and TSCA Statutes. She also requested protection from further harassment by the EPA agents in Fairbanks (Alaska Department of Environmental Conservation - ADEC).

I am attaching a telefax copy of her letter to Secretary William Brock for your information. Several persons connected to the refinery brought to my attention this dumping operation but they were adamant that I report directly to EPA in Washington because their evidence implicated the EPA/DEC Office in Fairbanks. After personally flying to Fairbanks to evaluate their evidence I returned here and reported the details to your officials, as I was shunted from one to the other: Fred Steele, Mike Walker, Bruce Bellows, Dick Emory, Jim Moore, John Hamel, Jim Prang and Dixon McCleary.

Please be advised that the resultant "surprise" RCRA inspection as performed by the local EPA/DEC personnel was as phoney as a "three dollar bill" according to the witnesses at the site. I want you to know that this has been devastating for those who risked so much to protect the environment by reporting the disposal activity through me to your Agency. They now perceive themselves to have been left "dangling in the wind" by the highest echelons of your organization.

Recently, on-site evidence was disposed of with the "assistance and blessings" of EPA Anchorage officials, much to the dismay of the witnesses of the "phoney RCRA inspection". Had our informants not taken the precautions to safeguard their own evidence it would have come down to their word versus the combined contrivances of Management/EPA/ADEC.

I don't think the answer to this problem calls for additional language in the Statutes for "Whistle-Blowers" protection from EPA/DEC personnel. I expect that you have


IMAGED

Mr. Lee M. Thomas  
April 13, 1987  
Page 2

mechanism within your Agency to promptly investigate and correct such deficiencies before an "accident" befalls an innocent party in this case and corrective measures taken to prevent future occurrences. A significant number of persons came forward in this matter, Mr. Thomas, because they knew the activity to be illegal, notwithstanding the apparent participation of the local EPA/DEC office. None of them would agree to trust EPA or ADEC personnel in Alaska. They enlisted my help thousands of miles away from the nearest EPA/ADEC Office. That's a "hell of a note" and I appreciate that you will want to learn why.

I am available to meet immediately with whoever you designate to resolve this matter.

Sincerely yours,

  
Charles Hanel

CC: Dennis Kalso, Commissioner  
Alaska Department of  
Environmental Conservation